

## **MINUTES**

### **MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** By **CHAIRMAN VICKI COCCHIARELLA**, on February 3, 2005 at 9:00 A.M., in Room 422 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Vicki Cocchiarella, Chairman (D)  
Sen. Joe Balyeat (R)  
Sen. Duane Grimes (R)  
Sen. Dave Lewis (R)  
Sen. Glenn Roush (D)  
Sen. Frank Smith (D)  
Sen. Carolyn Squires (D)  
Sen. Donald J. Steinbeisser (R)  
Sen. Bill Tash (R)  
Sen. Jon Tester (D)  
Sen. Joseph (Joe) Tropila (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Annie Glover, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 326, 1/31/2005; SB 329,  
1/31/2005; SB 325, 1/31/2005; SB  
338, 1/31/2005  
Executive Action: None.

00:00:00

HEARING ON SB 326

Opening Statement by Sponsor:

SEN. JESSE LASLOVICH (D), SD 43, opened the hearing on SB 326,  
Revise law on excavation near underground utility facility.

[EXHIBIT](#) (bus27a01)

Proponents' Testimony:

00:06:39 Mr. Bud Criner, Montana Utility Coordinating  
Council

00:11:20 Mr. John Fitzpatrick, Northwestern Energy

[EXHIBIT](#) (bus27a02)

[EXHIBIT](#) (bus27a03)

00:21:19 Mr. Mike Strand, Montana Independent  
Telecommunications Systems

00:24:02 Cary Hegreberg, Montana Contractors Association

00:26:10 Mr. Geoff Feiss, Montana Telecommunications  
Association

00:27:47 Mr. Phil Maxwell, Three Rivers Communications

00:29:16 Mr. Rick Hays, Quest

00:30:41 Mr. Dan Flynn, International Brotherhood of  
Electrical Workers Local 44

00:31:53 Mr. Tom Glendenning, Montana Cable Operators

00:33:30 SEN. JOSEPH TROPILA, SD 13, GREAT FALLS

Opponents' Testimony:

00:35:02 Mr. Doug Hardy, Montana Electric Cooperatives

Informational Testimony: None.

00:37:49

Questions from Committee Members and Responses:

[EXHIBIT](#) (bus27a04)

01:18:00

Closing by Sponsor:

01:22:23 \_\_\_\_\_

HEARING ON SB 329

Opening Statement by Sponsor:

SEN. JON TESTER (D), SD 15, opened the hearing on SB 329,  
Clarifying state's role in "Made in Montana" program.

**Proponents' Testimony:**

01:24:08 Mr. Evan Barrett, Chief Business Officer, Office  
of the Governor  
01:26:38 Mr. Tony Preite, Director, Montana Department of  
Commerce  
01:28:42 Mr. Webb Brown, Montana Chamber of Commerce  
01:29:51 Mr. Charles Brooks, Montana Retail Association  
01:31:31 Mr. Brian Smith, Small Business Owner

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

01:32:22

**Closing by Sponsor:**

01:33:26

**HEARING ON SB 325**

**Opening Statement by Sponsor:**

SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on SB 325,  
Revise material beer wholesalers may provide to retailers.

[EXHIBIT](#) (bus27a05)

**Proponents' Testimony:**

01:34:30 Ms. Kristi Blazer, Montana Beer and Wine  
Wholesalers Association

[EXHIBIT](#) (bus27a06)

01:36:48 Mr. Trevor McDonnell, Budweiser Distributer  
01:37:39 Mr. Mark Johnston, Budweiser Distributer  
01:38:32 Mr. Scott Thompson, Thompson Distributing  
01:40:01 Mr. Mark Taylor, Anheuser-Busch

**Opponents' Testimony:**

01:40:33 Mr. Brian Smith, Montana State Brewers Association

**Informational Testimony:**

01:44:12 Mr. Lee Baerlocher, Department of Revenue

01:44:39

**Questions from Committee Members and Responses:**

01:48:20

**Closing by Sponsor:**

01:49:36

**HEARING ON SB 338**

**Opening Statement by Sponsor:**

SEN. JOE BALLYEAT (R), SD 34, opened the hearing on SB 338, Prohibit professional board discrimination among licensees.

[EXHIBIT](#)(bus27a07)

[EXHIBIT](#)(bus27a08)

[EXHIBIT](#)(bus27a09)

**Proponents' Testimony:** None.

**Opponents' Testimony:**

01:58:07           Mr. Keith Allen, International Brotherhood of  
Electrical Workers

02:00:42           Mr. Carl Schweitzer, Montana Plumbing and Heating  
Contractors

**Informational Testimony:**

02:01:32           Mr. Kevin Braun, Department of Labor and Industry

02:03:00

**Questions from Committee Members and Responses:**

02:12:20

**Closing by Sponsor:**

**ADJOURNMENT**

Adjournment: 11:00 A.M.

---

SEN. VICKI COCCHIARELLA, Chairman

---

ANNIE GLOVER, Secretary

VC/ag

Additional Exhibits:

**EXHIBIT ([bus27aad0.PDF](#))**